

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.56854 of 2007
RABIUL @ MUKHIYA
Versus
THE STATE OF BIHAR

05/ 16.07.2008

Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is an accused for offences punishable under
sections 364 and 120(B)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
allegation of kidnapping of his second wife Sahnaz is absolutely false
and frivolous as she was of a loose character and she eloped with
another person according to her own free will. Learned counsel for the
petitioner further submits that the petitioner is living with his first wife
and has committed no offence and has been falsely implicated due to
which he has spent about two years in custody.

In the aforesaid facts and circumstances, this petition
for bail is allowed. Let the petitioner, namely, Rabiul @ Mukhiya be
released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten
thousand) with two sureties of likewise amount each to the satisfaction
of learned Chief Judicial Magistrate, Katihar, District-Katihar in
connection with Azam Nagar P.S. Case No. 76 of 2004.

harish

(S.N. Hussain, J.)